



To the Honorable Council
City of Norfolk, Virginia

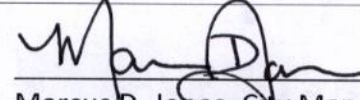
April 12, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception for a commercial drive-through at 8410 Hampton Blvd. – Dunkin' Donuts**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 1/6

Approved: 
Marcus D. Jones, City Manager

Item Number:

R-13

- I. **Staff Recommendation:** **Approval**, subject to the removal of the site access from Hampton Boulevard shown on the attached plan. The Hampton Boulevard entrance as shown increases the potential for internal pedestrian/vehicular conflicts and creates a safety issue.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**, subject to the removal of the site access from Hampton Boulevard.
- III. **Request:** Special exception – commercial drive-through
- IV. **Applicant:** Dunkin' Donuts
- V. **Description:**
 - The property is located at the corner of Hampton Boulevard and Rogers Avenue, near the Glenwood Park neighborhood.
 - Granting this request would allow the construction of Dunkin' Donuts with a commercial drive-through.
 - The applicant's representative has expressed that the condition for approval requiring removal of the site access from Hampton Boulevard would impact the accessibility of the site to such an extent that the Dunkin' Donuts would no longer be a viable business enterprise at this location. However, at the City Planning Commission public hearing held on March 24, 2016, the applicant's representative stated that he had not yet discussed the condition with the Dunkin' Donuts corporate office.

Staff point of contact: Sarah Richards at 664-7470 or sarah.richards@norfolk.gov

Attachments:

- Staff Report to CPC dated March 24, 2016 with attachments
- Proponents and Opponents
- Ordinance

Planning Commission Public Hearing: March 24, 2016

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Sarah G. Richards

SGR

Staff Report	Item No. 9	
Address	8410 Hampton Boulevard	
Applicant	Dunkin' Donuts	
Request	Special Exception	Commercial drive-through
Property Owner	Little Creek Holdings, LLC	
Site Characteristics	Site/Building Area	14,614 sq. ft. /1,837 sq. ft.
	Future Land Use Map	Commercial
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Glenwood Park
	Character District	Suburban
Surrounding Area	North	C-2: Burger King
	East	R-7 (Single-Family): single-family homes
	South	C-2: commercial building
	West	Conditional C-2: Hardee's



A. Summary of Request

- The property is located at the corner of Hampton Boulevard and Rogers Avenue, near the Glenwood Park neighborhood.
- This request would allow the construction of Dunkin Donuts with a commercial drive-through.

B. Plan Consistency

- The proposed special exception is consistent with plaNorfolk2030, which designates this site as commercial.
- The Providing Transportation Options chapter of plaNorfolk2030 includes an action calling for the implementation of access management strategies, such as the reduction of curb cuts, to improve traffic operations and safety
- The providing transportation options chapter of plaNorfolk2030 also includes an action calling for the development of complete streets, including provisions for bicycles and pedestrians such as sidewalks, multi-use paths, or sharrows.
- In order to be fully consistent with plaNorfolk2030, site improvements should be included that address access management concerns and further the implementation of complete streets.

C. Zoning Analysis

i. General

The use is permitted in the C-2 district by special exception.

ii. Parking

- For a take-out-only eating establishment of this size located within the Suburban Character District, the *Zoning Ordinance* requires that the site provides a minimum of seven parking spaces and sufficient room to accommodate one bicycle.
 - The applicant proposes to provide 12 parking spaces.
 - The proposed number of parking spaces, based on the proposed square footage of the building, exceeds the parking maximum for commercial uses established in the *Zoning Ordinance*.
 - Prior to obtaining Site Plan approval, the applicant will be required to provide landscaping and stormwater improvements to off-set the impervious parking proposed on the site.
 - Eating establishments with a commercial drive-through are required to have 6 stacking spaces behind the order box and 4 stacking spaces between the pickup window and order box.
 - The site plan submitted with this application shows 10 stacking spaces, and therefore meets the requirements of the *Zoning Ordinance* for stacking.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low-risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers (ITE) figures estimate that that this proposed restaurant with a drive through will generate 846 new vehicle trips per day.
- Based upon ITE data, the existing office use on this site would be expected to generate 64 weekday trips while the proposed restaurant would be expected to generate 910 trips on weekdays.
- Hampton Boulevard near the site is not identified as a severely congested corridor in either the AM or PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus routes 2 (Hampton) and 21 (Little Creek) operating near the site.
- Hampton Boulevard adjacent to the site is not an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

E. Historic Resources Impacts

The site is not located within a federal, state, or local historic district.

F. Public Schools Impacts

This site is located within the Camp Allen Elementary School, Blair Middle School, and Maury High School Attendance Zones.

G. Environmental Impacts

- The construction of a fast food restaurant with a drive-through lane should not adversely impact the surrounding uses if proper access management is implemented.
- The proposed facility will undergo the Site Plan Review process, which will require all site development to adhere to the regulations of the *Zoning Ordinance*, including landscaping, vehicular circulation, and stormwater improvements.

H. Surrounding Area/Site Impacts

Over the past year, there has been one call for service on the property, with no arrests made.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

Notice was sent to the Glenwood Park Civic League on February 10.

K. Communication Outreach/Notification

- Legal notice was posted on the property on February 16.
- Letters were mailed to all property owners within 300 feet of the property on March 11.

- Legal notification was placed in *The Virginian-Pilot* on March 10 and March 17.

L. Recommendation

Staff recommends **approval** of the special exception request, considering compliance with *Zoning Ordinance* requirements, subject to the conditions below:

- (a) No access to the site from Hampton Boulevard shall be allowed.
- (b) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (c) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (d) All nonconforming fences and signs on the site shall be removed.
- (e) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties.
- (f) At least one bicycle parking space shall be provided on the site.
- (g) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (h) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (i) The property shall be kept in a clean and sanitary condition at all times.
- (j) The establishment shall maintain a current, active business license at all times while in operation.
- (k) No business license shall be issued until conditions (a), (d), (e), (f), (g), and (i), have all been implemented fully on the site.

Attachments

Location Map

Zoning Map

Application

Notice to the Glenwood Park Civic League

Proponents and Opponents

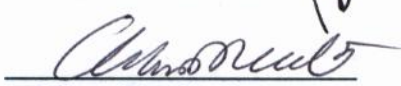
Proponents

Robert Kellam
Kellam Gerwitz Engineering
500 Central Drive, Suite 113
Virginia Beach, Virginia 23454

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

NORFOLK, VIRGINIA

56R
Contents Approved:

By 
DEPT.

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A COMMERCIAL DRIVE-THROUGH FOR "DUNKIN DONUTS" ON PROPERTY LOCATED AT 8410 HAMPTON BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Commercial Drive-Through for "Dunkin Donuts" on property located at 8410 Hampton Boulevard. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 100 feet, more or less, along the eastern line of Hampton Boulevard and 147 feet, more or less, along the southern line of Rogers Avenue; premises numbered 8410 Hampton Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) No vehicular access to the site directly to or from Hampton Boulevard shall be allowed.
- (b) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (c) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (d) All nonconforming fences and signs on the site shall be removed.

- (e) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties.
- (f) At least one bicycle parking space shall be provided on the site.
- (g) All dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (h) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (i) The property shall be kept in a clean and sanitary condition at all times.
- (j) The establishment shall maintain a current, active business license at all times while in operation.
- (k) No business license shall be issued until conditions (a), (d), (e), (f) and (g) have all been implemented fully on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

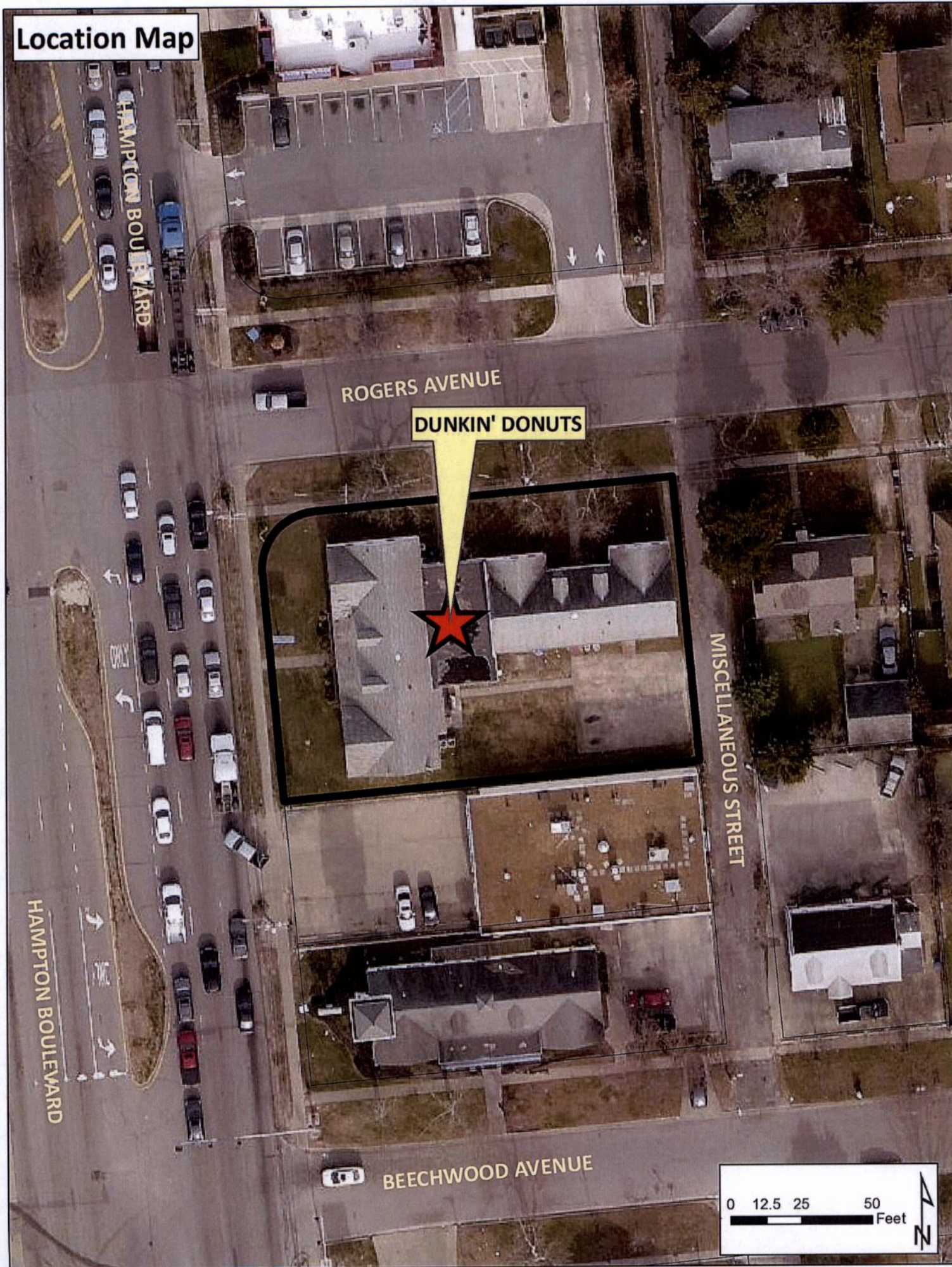
- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;

- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent

real estate taxes owed to the City of Norfolk on
the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date
of its adoption.

Location Map



ROGERS AVENUE

DUNKIN' DONUTS

MISCELLANEOUS STREET

HAMPTON BOULEVARD

BEECHWOOD AVENUE

0 12.5 25 50 Feet



Zoning Map

15

HAMPTON BOULEVARD

MAPLESHADE AVENUE

R-7

C-2

DUNKIN' DONUTS

ROGERS AVENUE

C-2

R-7

C-2

BEECHWOOD AVENUE

BEECHWOOD AVENUE

C-2

HAMPTON BOULEVARD

MISCELLANEOUS STREET

R-7

C-2

C-2

FORREST AVENUE

C-2

0 30 60 120 Feet





APPLICATION
SPECIAL EXCEPTION

Special Exception for: Drive-Through

Date of application: 2-5-16

DESCRIPTION OF PROPERTY

Property location: (Street Number) 8410 (Street Name) Hampton Boulevard

Existing Use of Property Service men's Center Home

Current Building Square Footage 5,536 sqft

Proposed Use Restaurant w/ Drive Through

Proposed Square Footage 1,834 sqft

Proposed Hours of Operation:

Weekday From 5 AM To 12:01 AM

Friday From " To "

Saturday From " To "

Sunday From " To "

Trade Name of Business (If applicable) Dunkin' Donuts

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: _____

Date(s) contacted: _____

Ward/Super Ward information: _____

CERTIFICATION:

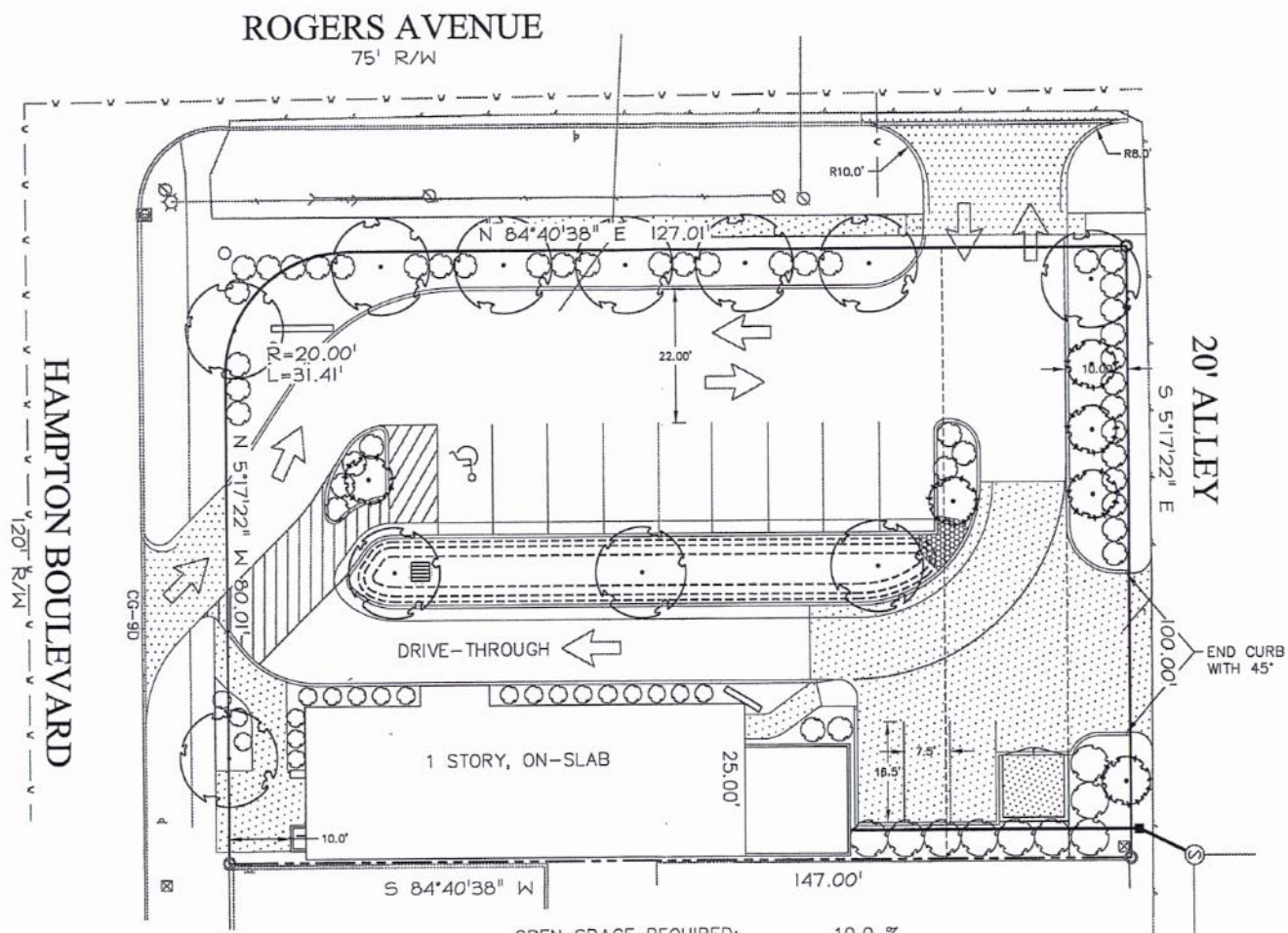
I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Robert Skella Sign: [Signature] 21 3 16
(Property Owner or Authorized Agent of Signature) (Date)

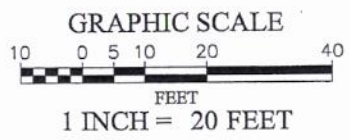
Print name: John P. Motta Sign: John P. Motta 1 2 3 / 2016
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ 1 1
(Authorized Agent Signature) (Date)



OPEN SPACE REQUIRED: 10.0 %
 OPEN SPACE PROVIDED: 17.0 %

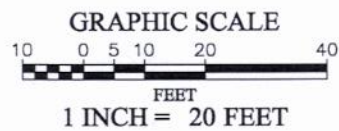
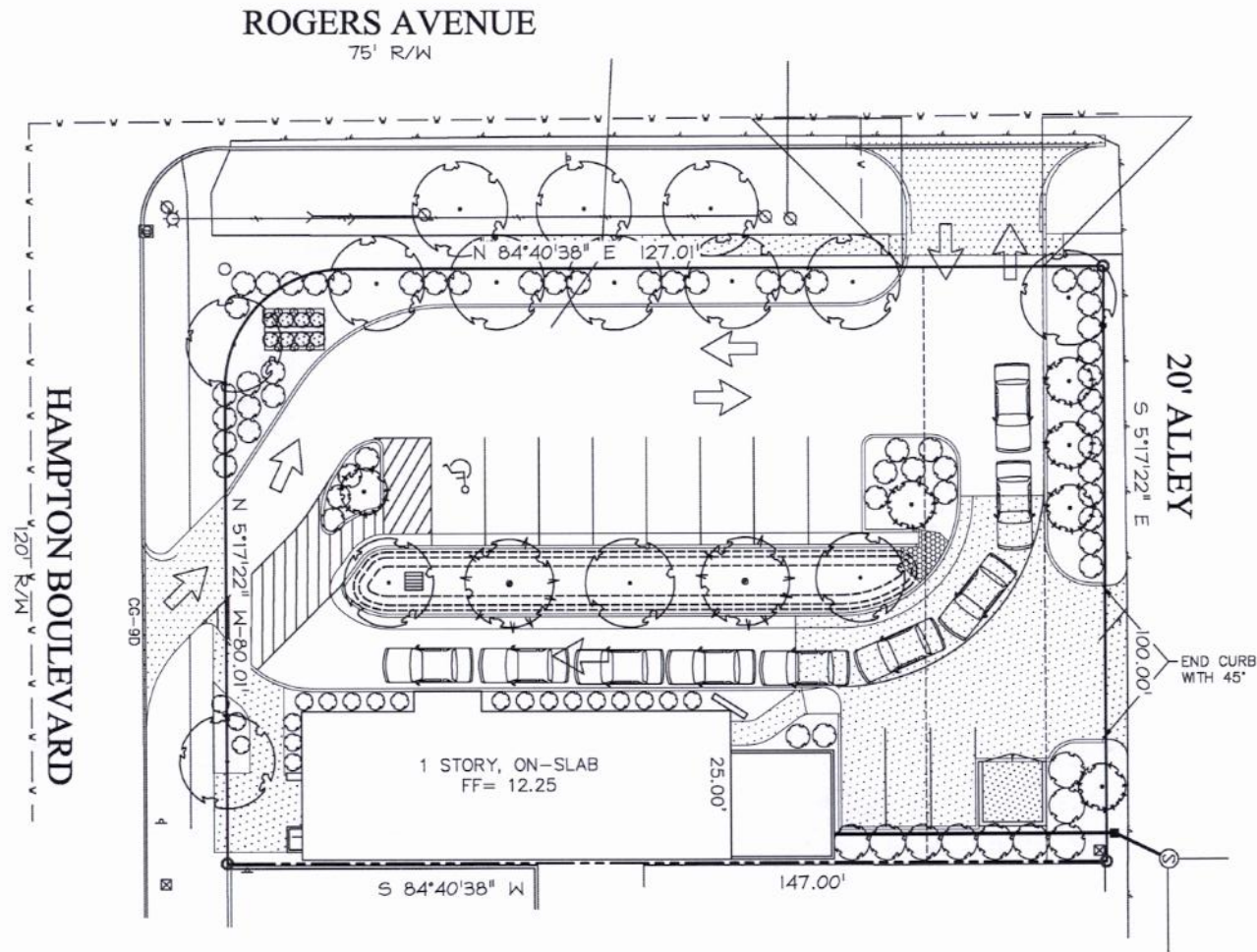


DUNKIN DONUTS, HAMPTON BLVD

PROJECT #N15015

KELLAM
GERWITZ

ENGINEERING - SURVEYING - PLANNING
 500 CENTRAL DRIVE - SUITE 113 - VIRGINIA BEACH, VA 23454
 (757) 340-0828 - FAX (757) 340-1603



DUNKIN DONUTS, HAMPTON BLVD

PROJECT #N15015

**KELLAM
GERWITZ**
ENGINEERING - SURVEYING - PLANNING
300 CENTRAL DRIVE - SUITE 113 - VIRGINIA BEACH, VA 23454
(757) 340-0828 - FAX (757) 340-1603

Richards, Sarah

From: Straley, Matthew
Sent: Wednesday, February 10, 2016 12:09 PM
To: 'hrunyan1@cox.net'
Cc: Protogyrou, Andrew; Winn, Barclay; Wilson, Denise; Richards, Sarah
Subject: new Planning Commission application - 8410 Hampton Boulevard
Attachments: Dunkin Donuts.pdf

Ms. Runyan,

Attached please find the application for a special exception to operate a commercial drive-through at 8410 Hampton Boulevard.

The item is tentatively scheduled for the March 24, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Sarah Richards* at (757) 664-7470, sarah.richards@norfolk.gov

Thank you.

Matthew Straley
GIS Technician II



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